Chapter 135- LUST Rules Revisions as of March 2016

Citation	Proposed Revisions	Revision Purpose
***Free Product Assessment and Removal* 135.7(5) pg.50**	Added: "d"(11) "Identification of all water lines, regardless of construction material, within the area of free product. A water line shall be considered within the area of free product if it is located within the boundary of the free product plume as defined by wells unless it can be demonstrated that no LNAPL exists within 10 feet (horizontally or vertically) of the water line and the LNAPL is not migrating nor is likely to migrate. Water lines within the area of free product must be relocated unless there is no other option and the department has approved an alternate plan of construction. See 135.12(3) "c"." Inserts highlighted sections to "f":…."When free product activities have been terminated, owners and operators must inspect the monitoring wells monthly for at least a year unless another schedule is approved by the department. The department must be notified and can require free product recovery activities be reinitiated if during the monthly well inspections it is determined the product thickness in a monitoring well exceeds 0.02 foot"….	Revised to include language regarding identifying and managing water lines located in an area of free product, previously found only in 135.12(3)c, to the requirements for the Free Product Recovery Assessment Report. Adds option language for groundwater professional to document greater than 10 feet of separation between the LNAPL and the water line. Adds additional discretion to the department for deciding when free product recovery may be terminated at a site. The current language is very specific "one size fits all" language.
Chemicals of concern* 135.8(3) pg.51** ***Group two chemicals **135.10(2)m pg.63**	Delete last sentence in (3): "At Tier 2 and Tier 3, owners and operators have the option of analyzing for these specific constituents and applying them to the specific target levels in Appendices A and B instead of using the TEH conversion method if an approved laboratory and laboratory technique are used". Delete"*m:* "*Group two chemicals.* At Tier 2, chemical-specific values for the four chemicals may be used or the largest of the four TEH default values. (Refer to Appendix B and department Tier 2 guidance for using the TEH conversion method for modeling.) If chemical-specific values are used, the analytical method must be approved by the department prior to its use."	Removes the option for Owner/Operator to sample for specific constituents and apply the site specific target levels in Appendix A & B. This option has not been used over the years likely due to the analytical costs and difficulty in meeting the low detection limits for the constituents. For Tier 2, this also required the cumbersome procedure of converting the single constituent results back to total extractable hydrocarbons values to compete the Tier 2 modeling.

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Source Width **135.10(2)f(3) pg.62**	Delete (3) "Estimating source width when free product is present. Groundwater from wells with free product must be analyzed for BTEX and the source width and source length are estimated using the criteria in 135.10(2)f(1) and 135.10(2)"f"(2) above. For those sites with approved site cleanup reports and free product present in wells but actual BTEX values are not available, source width and source length may be estimated in accordance with 135.10(2)"f"(1) and 135.10(2)"f"(2) using the default BTEX values for groundwater in 135.18(4) or estimated by using the area representing half the distance between wells with free product and wells without free product, whichever method is greater."	Removes language allowing free product plume source width to be used in Tier 2 modeling.
Bedrock Assessment **135.10(3)a(2) pg.64** ***Bedrock Assessment*** **135.10(3)m(1) pg.67**	Adds sentence: "If soil contamination above a Tier 1 level is not identified or an over-excavation of contaminated soil has successfully removed all soil contamination greater than a Tier 1 level, then monitoring wells can be installed in the source area and the site can be evaluated as exempt granular bedrock." Adds sentence: "If soil contamination above a Tier 1 level is not identified or if an over-excavation of contaminated soil has successfully removed all soil contamination greater than a Tier 1 level and monitoring wells are installed in the source area, exit monitoring criteria may be met by two consecutive samples collected at least six months apart; and concentrations in all monitoring wells must be less than the lowest target level."	Adds option of installing monitoring wells in the source area at granular bedrock site if soil contamination is not present or has been removed and then evaluating the site as exempt granular bedrock. Adds option of installing monitoring wells (MWs) in the source area at a nongranular bedrock site if soil contamination is not present or has been removed. By doing so exit monitoring criteria may be met by two consecutive sampling events separated by at least 6 months with concentrations below target levels in all site MWs versus 3 consecutive annual sampling events with concentrations below target levels in all site MWs.

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Analyzing for methyl tertiary-butyl ether (MTBE) (2) Required MTBE testing. **135.19 pg.95**	*Proposed Text: "*Water samples must be analyzed for MTBE when collected for risk-based corrective action as required in rules 567—135.8(455B) through 567—135.12(455B). These sampling requirements include but are not limited to Tier 2 and Tier 3 assessments where groundwater ingestion pathway evaluation and subsequent monitoring is required."	Limits the requirement for MTBE analysis to groundwater samples collected for Tier 2 or Tier 3 assessments where groundwater ingestion pathway evaluation and subsequent monitoring is required.